

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re:

Case No. 16-50951

Robert Blum Irby

Social Security Number: xxx-xx-9171

Debora Lynn McHone

Social Security Number: xxx-xx-9472

Debtors

NOTICE TO CREDITORS AND PROPOSED PLAN

Notice of Objection by Debtor(s) to Disclosure of Personal Information by Creditors
Pursuant to North Carolina General Statute 75-66(a).

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on September 12, 2016.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

I. Plan Payments

The plan proposes a payment of \$1,325.00 per month for a period of at least 36 months.
The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed.

II. Administrative Costs

1. Attorney fees.

/X/ The Attorney for the Debtor will be paid the base fee of \$4,500.00. The Attorney has received **\$00.00** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

/n/a / The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

2. Trustee costs. The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. §507 will be paid in full in deferred cash payments unless otherwise indicated.

1. Domestic Support Obligations (“DSO”)

a. The name, address, and phone number, including area code, of the holder of any DSO as defined in §101(14A) is as follows:

Name of DSO Claimant	Address, city & state zip code		Telephone number
None			

c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.

d. Arrearages owed to DSO claimants under 11 U.S.C. §507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment
None		

2. Other priority claims to be paid by Trustee

a. Proofs of Claims for property taxes are to be filed each year by the tax collector.
Monthly disbursements from the Chapter 13 Trustee will be disbursed to cure the present arrearage and to pay future property taxes as assessed.

Creditor	Estimated Priority Claim
Internal Revenue Service	\$
North Carolina Department of Revenue	\$1,624.06, <i>to be paid as funds become available</i>
Surry County Tax Collector	\$
Stokes County Tax Collector	\$
City Tax Collector	\$
Other	\$

IV. Secured Claims

1. Real Property Secured Claims

a. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-Residence (R/NR)	Current Yes/No	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Nationstar Mortgage	petition address	R	N	\$819.66	\$5,144.00	T
				\$	\$	
				\$	\$	
				\$	\$	

2. Personal Property Secured Claims

b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per §1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Ally Financial	2013 Chevrolet Malibu LS	\$10,112.81	Y	00.00		\$367.50	4.75%
Capital One Retail Services	2014 Yama Grizzly Special Edition	\$7,412.50	Y	\$219.50	**to be surrendered		

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

To the extent that the valuation provisions of 11 U.S.C. § 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. § 1325(a)(5)(A).

3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
Capital One Retail Services	2014 Yama Grizzly Special Edition

4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. §522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
None	

V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
None		%	\$
		%	\$

VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is **00.00%**.

VII. Executory Contracts/Leases

a. /None/

b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract
None	

c. The following executory contract and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
None		\$	\$	\$		\$

VIII. Special Provisions

- a. Debtor(s) objects to disclosure of personal information by creditors pursuant to North Carolina General Statute 75-66(a).
- b. Other classes of unsecured claims and treatment: None
- c. Other Special Terms: None

Date: September 13, 2016

/s/Thomas W. Anderson
Thomas W. Anderson
Attorney at Law
P.O. Box 1273
214 East Marion Street
Pilot Mountain, NC 27041
336-368-9621
State Bar Number: 8628

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Robert Irby
Debora McHone

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

Kathryn Bringle CHAPTER 13 OFFICE PO Box 2115 Winston-Salem, NC 27102	Care Credit Attn: Bankruptcy PO Box 965060 Orlando, FL 32896	FEDChex Headquarters Attn: Bankruptcy 2 Venture Plaza, Suite 300 Irvine, CA 92618	Office of the United States Attorney MDN Civil Process Clerk 101 South Edgeworth Street, Suite 400 Greensboro, NC 27401
Aargon Agency Ops 9G Bad Check Certegy 8668 Spring Mountain Road Las Vegas, NV 89117	Certegy Check Services, Inc. Attn: Bankruptcy PO Box 30296 Tampa, FL 33630-3296	Global Check Recovery 17 Northeast Skyline Drive Lee's Summit, MO 64086	Q Card Bankruptcy Department PO Box 965061 Orlando, FL 32896
Ally Financial c/o Ally Servicing LLC PO Box 130424 Roseville, MN 55113	Chase Chase Card Services PO Box 15298 Wilmington, DE 19850	Greensboro Orthopaedics 3200 Northline Avenue, Suite 200 Greensboro, NC 27408	Sam's Club Attn: Bankruptcy PO Box 530942 Atlanta, GA 30353-0942
American Eagle Bankruptcy Dept. PO Box 965061 Orlando, FL 32896	Chex Systems, Inc. Att: Consumer Relations 7805 Hudson Rd, Suite 100 Woodbury, MN 55125	Home Depot Credit Services Attn: Bankruptcy PO Box 790034 Saint Louis, MO 63179	Stokes County Clerk of Court PO Box 250 Danbury, NC 27016
Anasazi Group LLC c/o: CWB Services LLC 2345 Grand Blvd., Suite 2200 Kansas City, MO 64108	Citi Cards Attn: Bankruptcy/Collections PO Box 790034 Saint Louis, MO 63179	IRS PO Box 7346 Philadelphia, PA 19101-7346	Stokes County Tax Collector PO Box 57 Danbury, NC 27016
Atlas Acquisitions LLC 294 Union Street Hackensack, NJ 07601	Credit Bureau PO Box 26140 Greensboro, NC 27402	Kohl's PO Box 3043 Milwaukee, WI 53201	TeleCheck TRS Recovery Services 14141 Southwest Freeway, Floor 3 Sugar Land, TX 77478
Bank of America 1825 East Buckeye Road Phoenix, AZ 85034-4216	Creditors Solution Services, LLC. 1750 Highway 160 West, Suite 101, Nationstar Mortgage #137 Fort Mill, SC 29708	Nationstar Mortgage Attn: Bankruptcy 350 Highland Drive Lewisville, TX 75067	TeleCheck Services, Inc. Attention: Consumer Resolutions-FA PO Box 4514 Houston, TX 77210-4514
Best Buy 3800 Golf Road, Suite 105 Rolling Meadows, IL 60008	Discover DB Servicing Corporation PO Box 3025 New Albany, OH 43054	NC Department of Revenue Bankruptcy Unit PO Box 1168 Raleigh, NC 27602	Thomas W. Anderson PO Box 1273 214 East Marion Street Pilot Mountain, NC 27041
Capital Bank 121 Alhambra Plaza, Suite 1601 Coral Gables, FL 33134	Discover Bank Discover Financial Services PO Box 8003 Hilliard, OH 43026	Novant Health Attn: Bankruptcies & Estates PO Box 11549 Winston Salem, NC 27116	US Attorney General U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530
Capital One Retail Services PO Box 30257 Salt Lake City, UT 84130	Employment Security Commission PO Box 26504 Raleigh, NC 27611	Novant Health Imaging Piedmont PO Box 933559 Atlanta, GA 31193	

Date: September 13, 2016

/s/Courtney B. Williams
Courtney B. Williams